

Serial No. 10/557,748

Art Unit: 1655

REMARKS

The claims have been amended to indicate that the methods of claims 17, 19, 21, 23, 25 and 27 comprise applying the composition of claim 11 directly to the area to be treated. In addition, claims 17, 19, 21, 23, 25 and 27 have been amended to change the term composition to preparation as utilized in claim 11 on which the claims depend.

In compliance with the requirement for restriction, Applicants elect with traverse the claims of Group I, claims 11-16 for prosecution in the application.

Applicants respectfully request that the requirement for restriction be reconsidered and withdrawn. Applicants submit that Groups I-VI relate to a single, general inventive concept under PCT Rule 13.1 and 13.2.

Obukowicz et al. (US 2002/0136784) in view of Egbekum et al. (Plant Food for Human Nutrition 51: 35-41, 1997) do not teach or suggest the special technical feature of the present invention.

Applicants respectfully submit that Obukowicz et al. disclose nutraceuticals that inhibit COX-2 and selectively inhibit COX-2 [0001]. The nutraceuticals are administered to the organism and exhibit their desired therapeutic or prophylactic effect upon oral, parenteral, rectal and other administration forms. Typically, in vivo models (i.e., laboratory mammals) are used to determine the appropriate plasma concentrations necessary to achieve a desired mitigation of inflammation related conditions [0056]. Since the extracts disclosed in Obukowicz et al. are nutraceuticals and administered internally into the body to control inflammation, Applicants respectfully submit that there is no relation to the cosmetic

Serial No. 10/557,748
Art Unit: 1655

and dermatological preparation of the present invention which are known by one skilled in the art to be applied topically to areas of the skin being treated. Applicants respectfully submit that Obukowicz et al. in view of Egbekum et al. would neither teach nor suggest the present invention.

Applicants further submit that the combination of Obukowicz et al. with Egbekum et al. does not destroy the special technical features which link all of the claims presently in the application. In fact, Applicants submit that claims 19, 21, 23, 25 and 27 all depend from claim 11 and are permanently linked therewith.

In view of the above discussion, Applicants respectfully request that the requirement for restriction be reconsidered and withdrawn since the prior art cited by the Examiner does not destroy the "special technical feature" which links all of the claims in the application.

Favorable consideration and allowance of the application is respectfully requested.

Respectfully submitted,



Daniel S. Ortiz
(Reg. No. 25,123)
Attorney for Applicants
(215) 628-1141

Cognis Corporation, Patent Dept.
300 Brookside Avenue
Ambler, PA 19002

DSO/ras

H:\AMEND\2781.REST-RESPONSE #2.DOC